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Elan Microelectronics Corp. and
Elan Information Technology Group

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AVAGO TECHNOLOGIES GENERAL IP) Case No. 04-05385 JW (HRL)
PTE LTD. and AVAGO TECHNOLOGIES)
ECBU IP PTE LTD.,) **STIPULATION AND [PROPOSED]**
Plaintiffs,) **ORDER MODIFYING CERTAIN**
DISCOVERY DEADLINES AND
MOTIONS CUT-OFF DEADLINE

vs.

ELAN MICROELECTRONICS CORP., a)
Taiwanese Corporation, and ELAN)
INFORMATION TECHNOLOGY GROUP, a)
California Corporation,)
Defendants.)

AND RELATED COUNTERCLAIMS

1 Plaintiffs and Counterclaim-Defendants Avago Technologies General IP PTE Ltd. and
 2 Avago Technologies ECBU IP PTE Ltd. (collectively "Avago") and Defendants and
 3 Counterclaimants Elan Microelectronics Corp. and Elan Information Technology Group
 4 (collectively "Elan") jointly submit this request that the Court make the following changes to the
 5 deadlines previously set by the Court in its Fed. R. Civ. P. 16(b) Scheduling Order of December
 6 12, 2006 (Docket Item 154). As explained below, good cause exists for the changes:

7
 8 Initial Expert Disclosures: May 29, 2007 (presently April 16, 2007)

9 Rebuttal Expert Disclosures: June 18, 2007 (presently April 30, 2007)

10 Discovery Cut-Off (Expert & Fact): July 9, 2007 (presently June 18, 2007)

11 Dispositive Hearing Cut-Off: September 10, 2007 (presently August 20, 2007)

12 All other dates, including the October 22, 2007, Final Pretrial Conference, remain the
 13 same.

14
 15 Good cause exists to make these minor modifications for several reasons, including the
 16 following: The Court ordered additional claim construction of one term in asserted claim 4 of
 17 U.S. Patent No. 6,433,780 on February 8, 2007. The Court currently has a hearing on calendar for
 18 this claim construction on March 23, 2007. The parties should have time to digest the Court's
 19 further claim constructions before expert reports are due. Furthermore, the parties have been
 20 diligently pursuing discovery since the Court issued its initial claim construction order in August
 21 18, 2007. The parties, nevertheless, have been unable to resolve certain discovery disputes, and
 22 several motions are pending before Magistrate Judge Lloyd at this time. Two are under
 23 submission and one has just been filed. Disposition of these motions may further affect the scope
 24 of remaining discovery and the information available for the parties' respective experts in
 25 preparation of their reports and, as appropriate, their depositions.

26 The parties respectfully submit that the Court should enter the Proposed Order attached
 27 hereto and filed herewith.
 28

1 Dated: March 13, 2007

IRELL & MANELLA LLP

2
3
4 By: _____/s/
5 Jonathan P. Steinsapir
6 Attorneys for Plaintiffs
7 Avago Technologies General IP PTE Ltd. and
8 Avago Technologies ECBU IP PTE Ltd.

9 Dated: March 13, 2007

AKIN GUMP STRAUSS HAUER & FELD, LLP

10
11
12 By: _____/s/
13 Elizabeth Rader
14 Attorneys for Defendants
15 ELAN MICROELECTRONICS CORP. and
16 ELAN INFORMATION TECHNOLOGY
17 GROUP

18 **FILER'S ATTESTATION**

19 Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Alan Heinrich,
20 attest that concurrence in the filing of this document has been obtained.

21 Dated: March 13, 2007

22 By: _____/s/
23 Jonathan P. Steinsapir
24 Attorneys for Plaintiffs
25 Avago Technologies General IP PTE Ltd. and
26 Avago Technologies ECBU IP PTE Ltd.

1 **PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING THEREFOR,**
2 **IT IS HEREBY ORDERED** that the Court's Scheduling Order is amended and the following
3 dates now control:

4 Initial Expert Disclosures: May 29, 2007

5 Rebuttal Expert Disclosures: June 18, 2007

6 Discovery Cut-Off (Expert & Fact): July 9, 2007

7 Dispositive Hearing Cut-Off: September 10, 2007

8 All other dates, including the October 22, 2007, Final Pretrial Conference, remain the
9 same.

10 **IT IS SO ORDERED.**

11
12 Dated: March 15, 2007


HONORABLE JAMES WARE
UNITED STATES DISTRICT JUDGE